

STATE OF IOWA
DEPARTMENT OF COMMERCE
BEFORE THE IOWA UTILITIES BOARD

IN RE COMPLAINT OF)	
)	
HANCOCK COUNTY HEALTH SYSTEMS)	Docket No. FCU-2013-0005
)	
CAROLYN FRAHM)	Docket No. FCU-2013-0007

AIRUS'S MOTION FOR CONFIDENTIAL TREATMENT

Airus, Inc. ("Airus"), pursuant to Iowa Code § 22.7(3) and (6) and Iowa Administrative Code § 199-1.9(5)a(1) and (3), requests that Airus's Quarterly Report, filed with the Iowa Utilities Board on September 30, 2016 be granted confidential treatment by the Iowa Utilities Board. In support of its Motion, Airus states as follows:

Airus's Quarterly Report includes proprietary business information and trade secrets ("Confidential Information") about Airus's *Proposed Effective, Preventative, Long-Term Solutions to Call Completion Problems*. The Confidential Information includes information about Airus's work to date and future plans to assure compliance with the Board's requirements.

The Confidential Information derives independent economic value from not being generally known to, and not being readily ascertainable by proper means by, a person able to obtain economic value from its disclosure or use, and Airus exercises reasonable care to maintain the secrecy of the Confidential Information. If released to competitors or to the public, this information could cause harm to Airus's business operations.

Iowa law protects from public disclosure "[t]rade secrets which are recognized and protected as such by law," as well as "[r]eports to governmental agencies, which, if released, would give advantage to competitors and serve no public purpose." Iowa Code § 22.7(3) and (6).

Iowa Code § 550.2(4) defines “trade secret” to mean information that “[d]erives independent economic value . . . from not being generally known to, and not being readily ascertainable by proper means by a person able to obtain economic value from its disclosure or use” and is the subject of reasonable efforts “to maintain its secrecy.”

Airus’s Quarterly Report falls within the categories of information that Iowa law protects from public disclosure. The Quarterly Report is submitted by Airus solely for purposes of this administrative proceeding. If released, the information would give advantage to competitors and would serve no public purpose. Iowa Code § 22.7(6).

Wherefore, Airus requests the Board to enter an order granting this Motion for Confidential Treatment and directing that Airus’s Report, filed under seal and marked “Confidential”, be withheld from public inspection pursuant to Iowa Code §§ 22.7(3) and (6) and Iowa Administrative Code § 199-1.9(5)a(1) and (3). An affidavit of Julie Oost in support of this motion is attached hereto.

Respectfully submitted

BELIN McCORMICK, P.C.

By /s/ Richard W. Lozier, Jr.

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ATTORNEYS FOR AIRUS, INC.

PROOF OF SERVICE

I hereby certify that the foregoing document was automatically served electronically on all parties registered with the Electronic Filing System on: September 30, 2016.

Signature: /s/ Lori McKimpson